



ATTORNEY'S DOCKET NO: S1237/7011(ERP)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kenneth Walsh  
Serial No: 09/408,905  
Filed: September 29, 1999  
For: AKT Compositions for Enhancing Survival of Cells  
Examiner: Nickol, G.  
Art Unit: 1642

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 20th day of June, 2000.

*E. R. Plumer*

Elizabeth R. Plumer, Reg. No. : 36,637

Commissioner for Patents  
Washington, D.C. 20231

**SECOND STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

The Applicant hereby states, as specified in 37 C.F.R. §1.97(e), that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement. No fee is required.

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PART II - Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application:

International Search Report in PCT/US99/22633 dated 11 May 2000.

PART III: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

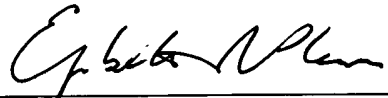
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*Kenneth Walsh, Applicant(s)*

By:   
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Docket No. S1237/7011(ERP)  
Dated: June 20, 2000  
**xndd**



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ATTORNEY'S DOCKET NO: S1237/7011 (ERP/KA)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth Walsh  
Serial No: 09/408,905  
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Elizabeth R. Plumer, Reg. No. 36,637

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

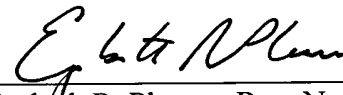
Transmitted herewith are the following documents:

- ☒ Second Statement Filed Pursuant to the Duty of Disclosure under 37 CFR §1.56, 1.97, and 1.98, including copy of International Search Report identified therein
- ☒ Form PTO-1449(Modified)
- ☒ References cited
- ☒ Return Post Card

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If the enclosed papers are considered incomplete, the U.S. Patent and Trademark Office respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts. JUN 27 2000

If any fee is required, please charge to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed. TECH CENTER 1600/2900

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Dated: June 20, 2000

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